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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

LYDIA PACHECO,	)	No. C07-3988 MHP
	)	
Plaintiff,	)	RE-NOTICE OF DEFENDANT'S
	)	MOTION TO DISMISS
v.	)	
	)	Date: October 29, 2007
UNITED STATES POSTAL SERVICE,	)	Time: 2:00 p.m.
	)	Courtroom: E, 15th Floor
Defendants.	)	

**RE-NOTICE OF MOTION AND MOTION TO DISMISS**

PLEASE TAKE NOTICE that on Tuesday, October 29, 2007, at 2:00 p.m. (not October 9, 2007, as previously noticed), or as soon thereafter as the matter may be heard, before the Hon. Marilyn H. Patel, the United States Postal Service, pursuant to Federal Rules of Civil Procedure 12(b)(1), will move the Court to dismiss this action with prejudice for lack of subject matter jurisdiction, in the United States District Courthouse, 450 Golden Gate Avenue, San Francisco, California.

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RE-NOTICE OF MOTION  
 C 07-3988 MHP

1 The Motion, which was filed on August 27, 2007, is based on this notice; the memorandum  
2 points and authorities, attached exhibit, and declaration of Gwendolyn E. Murray found at Docket.  
3 No. 8; and the pleadings on file with the Court.

4 Dated: September 24, 2007

Respectfully submitted,

5 SCOTT N. SCHOOLS  
6 United States Attorney

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8 MELANIE L. PROCTOR  
9 Assistant U.S. Attorney  
10 Attorneys for Defendant  
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